

**CHAPTER NO. 93****SENATE BILL NO. 199****By Henry****Substituted for: House Bill No. 216****By Briley**

AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 3, Part 5, relative to drop-in child care facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-3-501(8), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(8) "Drop-in center" means a place or facility operated by any person or entity providing child care, at the same time, for fifteen (15) or more children, who are not related to the primary caregiver, for short periods of time, not to exceed fourteen (14) hours per week and for not more than seven (7) hours per day for any individual child during regular working hours (Monday - Friday 6:00 a.m. to 6:00 p.m.); provided, however, a drop-in center may provide such child care during evenings (after 6:00 p.m.) and weekends (Friday, 6:00 p.m. - Sunday, 10:00 p.m.) so long as the drop-in center provides no more than a total of twenty (20) hours per week, exclusive of snow days (defined as days when the school of the affected child is closed); provided, in addition, that drop-in centers may provide such care during snow days; provided, however, that, notwithstanding any other requirements of this part, training requirements for the staff of this class of child care agency shall be limited to basic health and safety precautions and the detection and reporting of child abuse and neglect for children in care; provided, further, that, notwithstanding any other provision of this chapter to the contrary, drop-in centers operated by not-for-profit organizations that provide child care for no more than two (2) hours per day with a maximum of ten (10) hours per week without compensation, while the parent or other custodian is engaged in short-term activities on the premises of the organization, shall register as providing casual care and shall not be deemed to be a drop-in center or regulated as a drop-in center;

SECTION 2. Tennessee Code Annotated, Title 71, Chapter 3, Part 5, is amended by adding the following as a new section:

71-3-534. Any license for a drop-in center issued under this part shall specify whether the center is appropriate for handling school-age children on snow days. A drop-in center may not accept any school age child for care unless the department determines that center is an appropriate and safe location for such children on snow days. The department shall determine whether the center has adequate space for school-age children and shall set a limit on the number of such children that a center may accept on any one day. No child thirteen (13) years of age or older may be cared for by a drop-in center on a snow day. The center shall also provide a list of trained care givers and other staff who are available for emergency calling to the department and shall annually update such list.

SECTION 3. This act shall take effect on becoming a law, the public welfare requiring it.

**PASSED: April 11, 2005**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this      22nd    day of      April                      2005**

  
PHIL BREDESEN, GOVERNOR